IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION AT DAYTON

WELLS FARGO BANK, N.A., as Trustee for Option One Mortgage Loan Trust 2005-5 Asset-Backed Certificates, Series 2005-5,

Plaintiff, : Case No. 3:07-cv-143

District Judge Walter Herbert Rice Chief Magistrate Judge Michael R. Merz

GREGORY ANKENEY, et al.,

-vs-

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 23), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on August 5, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this case be dismissed without prejudice for want of prosecution.

August 6, 2008.

Walter Herbert Rice United States District Judge